

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

LARRY PHILPOT

Plaintiff,

-against-

ACB ASSOCIATES, L.P., THE NEW YORK
OBSERVER L.P., THE NEW YORK OBSERVER,
LLC, and "COMPANY ABC" d/b/a OBSERVER .
MEDIA

Defendants.

Civil Action No.: 1: 17 Civ. 4646 (DAB)

Notice of Motion to Dismiss

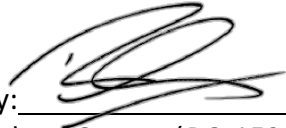
Filed by ECF

PLEASE TAKE NOTICE that with the accompanying Memorandum of Law, declaration of Robert Garson and attached exhibits and pleadings in the above-captioned lawsuit, Defendants ACB Associated, L.P., The New York Observer L.P., The New York Observer, LLC, and "COMPANY ABC" d/b/a Observer Media by and through its undersigned counsel, shall move this Court, before the Honorable Judge Deborah A. Batts United States Courthouse, 500 Pearl Street, New York, New York, 10007, for an order granting Defendants' Motion to Dismiss Plaintiff Larry Philpot's First Amended Complaint pursuant to 12(b)(5) and (6) of the Federal Rules of Civil Procedure. Should the Court request that the parties appear before the Court, oral argument shall be on a date and at a time to be designated by the Court.

Respectfully Submitted,

Garson, Ségal, Steinmetz, Fladgate LLP

Dated: New York, New York
August 28, 2017


By: 
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Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on this 28th day of August 2017, the foregoing Notice of Motion and accompanying Memorandum Of Law In Support Of Defendant's Motion To Dismiss the First Amended Complaint Under F.R. C.P. 12(b)(6), and Declaration of Robert Garson and exhibits attached thereto, were filed through the ECF system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

Dated: August 28, 2017

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